IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 10485 of 2001

Between:

1. The Babasai Peta PACS, Rep. by its Secretary,

G.Mattaiah, S/o.Ramaiah, R/o.Babasaipeta Post, Tripuraram Mandal,
Nalgonda District.
2 The Bejjikal PACS, Rep. by its Secretary, Venkata Rao, S/o.Bullaiah
R/o.Bejjikal Post, Tripuraram Mandal, Nalgonda District.
3 The Peda Devulapalli PACS, Rep. by its Secretary,

R.Vasu Dev, S/o.Kotaiah, R/o.Pedda Devulapalli Post,

Tripuraram Mandal, Nalgonda District.
4 The Kama Reddy Guda PACS, Rep. by its Secretary,

T.Chandan Singh, S/o.Bikkan Singh, R/o.Kamareddy Guda Post,

Tripuraram Mandal, Nalgonda District.
5 The Ragadapa PACS, Rep. by its Secretary, Md.Shafeeulla Ahmed,

S/o.Jameen Hali, R/o.Ragadapa Post, Tripuraram Mandal,
Nalgonda District.
6 The Regulagadda PACS, Rep. by its Secretary, Md.Ayaubali,

S/o.Asan Hali, R/o.Regulagadda Post, Nidamanur Mandal,
Nalgonda District.
7 The Tripuraram PACS, Rep. by its President, A.Srinivasa Reddy,

S/o.Rami Reddy, R/o.Tripuraram Post and Mandal,

Nalgonda District.
8 The Perur P.A.C.S., Rep. by its Secretary, J.Pandari, S/o.Narsaiah
R/o.Perur Post, Nidamalur Mandal, Nalgonda District.
9 The Venigandla P.A.C.S., Rep. by its Secretary,

P.Kanakaiah, S/o.Guravaiah, R/o.Venigandla Post,

Nidamanur Mandal, Nalgonda District.
10 The Nidamanur PASC, Rep. by its Secretary, Md.Gafoor,

S/o.Rasool Saheb, R/o.Nidamanur Post and Mandal,

Nalgonda District.
11 The Uootkur PACS, Rep. by its Secretary, G.Anantha Ramulu,

S/o.Rajaiah, R/o.Uootkur Post, Nidamanur Mandal,
Nalgonda District.
12 The Bandarupalli PASC, Rep. by its President, Chaganti Hari Babu,

S/o.Kotaiah, Bandarupalli Post, Tadikonda Mandal,
Guntur District.

..... PETITIONERS

AND

1 The General Manager, The Nalgonda District Co-op. Central Bank,
Nalgonda, Nalgonda District.
2 The General Manager, The Guntur District Co-op. Central Bank,
Administrative Office, 2-13, Bradipet,
Guntur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or directions more particularly in the nature of the Writ of Mandamus declaring the action of the respondents in deducting the crop insurance premium from the crop loans amounts to be advanced to the members of the petitioner societies at the rates of 4.5% and 2.5% towards the crop insurance premium for the Khariff and Rabby seasons 2001-2002 as illegal, arbitrary, unconstitutional.

Counsel for the Petitioners:MR.S.SIVA PRASAD

Counsel for the Respondent Nos.1 and 2: GP FOR COOPERATION

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10485 OF 2001

ORDER:

The petitioners, who are twelve in number, are statedly primary agricultural cooperative societies. As per the crop insurance scheme, every borrower of agricultural loan was required to pay crop insurance ranging from 2.5% to 4.5% whenever they availed cooperative loans. When the deduction of crop insurance was insisted upon by the respondents during khariff and rabby seasons 2001-2002, they filed the present Writ Petition. The petitioners prayed for a declaration that the action of the respondents in deducting crop insurance for khariff and rabby seasons 2001-2002 is illegal and arbitrary.

This Court while admitting the Writ Petition passed interim directions. The cause of auction, which arose in 2001-2002, does not survive. The Writ Petition is therefore dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

22.7.2005

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To

1 The General Manager, The Nalgonda District Co-op. Central Bank,
Nalgonda, Nalgonda District.
2 The General Manager, The Guntur District Co-op. Central Bank,
Administrative Office, 2-13, Bradipet,
Guntur, Guntur District.

3 2 CCs to G.P.for Cooperation, High Court Bldgs., Hyderabad (OUT)

4 2 CD copies